Remarks

The Office Action mailed December 30, 2003, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-29 and 32-47 are now pending in this application. Claims 1-29 and 32-47 stand rejected. Claims 30-31 have been canceled without prejudice, waiver, or disclaimer. Claims 1, 4, 6-9, 15, 19, 20, 22, 27, 32, 38, 39, 45, and 47 have been amended. No new matter has been added.

The rejection of Claims 32-38 under 35 U.S.C. § 101 as being directed to nonfunctional descriptive material is respectfully traversed. Applicants have amended Claim 32 and Claims 33-38 depend, directly or indirectly, from independent Claim 32. Accordingly, Applicants respectfully request that the Section 101 rejection of Claims 32-38 be withdrawn.

The rejection of Claims 15-18 and 20-29 under 35 U.S.C. § 103(a) as being unpatentable over Henson (U.S. Patent No. 6,167,383) in view of Smith et al. (U.S. Patent No. 6,052,669) is respectfully traversed.

Henson describes a web-based online store having a user interface for enabling a custom configuration of a computer system according to an identification of a user belonging to a prescribed customer set (column 2, lines 60-65). The online store includes a configurator, a cart, a checkout, and a database (column 2, lines 60-65). The configurator is provided for configuring the computer system with options selected according to a prescribed user input (column 2, lines 65-67). The options and a respective pricing for each option are presented on a configurator web page in accordance with the identification of the user belonging to the prescribed customer set (column 2, lines 67-column 3, line 4). The cart is provided for temporarily storing the customer configured computer system, where the cart includes a cart web page (column 3, lines 4-6). The checkout is provided for presenting payment options and for obtaining payment and delivery information (column 3, lines 6-7). The checkout further includes a checkout web page (column 3, lines 7-8). Lastly, the database is provided for dynamically supplying configuration options to the configurator in accordance with the identification of the user belonging to the prescribed customer set (column 3, lines 7-12). The configurator further includes merchandising recommendations for available options and their respective option details, the merchandizing recommendations

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being presented on the configurator web page (column 3, lines 12-15). The cart further includes merchandising recommendations for add-on options, the merchandizing recommendations being presented on the cart web page (column 3, lines 15-8).

Smith et al. describe a graphical user interface with a computer program for configuring and ordering office furniture (column 3, lines 60-62). A user can interact with an order generation program via the user interface to select a basic configuration of furniture, modify the configuration, create a cluster derived from the basic configuration (column 4, lines 1-4). The user, via the user interface, can modify a configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration (column 4, lines 11-14). Once the user has selected a typical configuration that is to be used, the user can then double click with a pointer device (104) on the depiction of the typical configuration in order to view it and operate on it (column 9, lines 29-32). At that time an order generation system displays a three-dimensional view of the selected typical configuration on a screen on a display (110) (column 9, lines 32-34). The user can rotate and move the selected depicted typical workstation using a zoom icon (162) and a move icon (164), respectively (column 9, lines 37-39). At any time, the typical configuration displayed on the screen can be modified by the user (column 9, lines 48-49). This modification can be in the form of adding or removing components, changing the shape, size or color of a component or changing the properties of a component (column 9, lines 49-52).

Claim 15 recites a system for customizing and specifying a parallel switchgear system, the system comprising "a device; a computer server connected to said device via a computer network and configured to receive user specifications and selected configurations; and a product configurator system configured to: receive user specifications and user selected configurations; generate a drawing and a quotation; and receive a selection of multiple configurations for a size of an equipment of the parallel switchgear system."

Neither Henson nor Smith et al., considered alone or in combination, describe or suggest a system as recited in Claim 15. More specifically, neither Henson nor Smith et al., considered alone or in combination, describe or suggest a product configurator system configured to receive a selection of multiple configurations for a size of an equipment of the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a

configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. describe a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also describe an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Accordingly, neither Henson nor Smith et al., considered alone or in combination, describe or suggest a system configured to receive a selection of multiple configurations for a size of an equipment. Accordingly, Applicants respectfully submit that Claim 15 is patentable over Henson in view of Smith et al.

Claims 16-18 and 20-29 depend, directly or indirectly, from independent Claim 15. When the recitations of Claims 16-18 and 20-29 are considered in combination with the recitations of Claim 15, Applicants submit that dependent Claims 16-18 and 20-29 are also patentable over Henson in view of Smith et al.

For at least the reasons set forth above, Applicants respectfully submit that the Section 103 rejection of Claims 15-18 and 20-29 be withdrawn.

The rejection of Claims 1-10, 14, 19, and 39-47 under 35 U.S.C. § 103(a) as being unpatentable over Henson in view of Smith et al. and further in view of Farrell et al. (U.S. Patent No. 6,282,518) is respectfully traversed.

Henson and Smith et al. are described above. Farrell et al. describe industrial products that are selected by a manufacturer (120) (column 8, lines 63-64). The manufacturer labeled an identification of the key parameters involved in a selection of a subset of the industrial products from an inventory set of industrial products (column 8, line 66 – column 9, line 4).

Claim 1 recites a method for automatically customizing and specifying a parallel switchgear system using a computer network-based system including a server coupled to a centralized database and at least one client system, the method comprising the steps of "accessing a product configurator system; selecting switchgear product configurations related to a parallel switchgear system from a plurality of user interfaces; receiving a bill of material and a price quotation for the parallel switchgear system.; and automatically generating, via

the product configurator system, an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system."

None of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a method as recited in Claim 1. More specifically, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest automatically generating, via the product configurator system, an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. describe a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also describe an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Farrell et al. describe key parameters that are involved in a selection of a subset of the industrial products from an inventory set of industrial products. Accordingly, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest automatically generating an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Henson in view of Smith et al. and further in view of Farrell et al.

Claims 2-10 and 14 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-10 and 14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-10 and 14 are also patentable over Henson in view of Smith et al. and further in view of Farrell et al.

Claim 19 depends indirectly from independent Claim 15 which recites a system for customizing and specifying a parallel switchgear system, the system comprising "a device; a computer server connected to said device via a computer network and configured to receive user specifications and selected configurations; and a product configurator system configured

to: receive user specifications and user selected configurations; generate a drawing and a quotation; and receive a selection of multiple configurations for a size of an equipment of the parallel switchgear system."

None of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a system as recited in Claim 15. More specifically, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a product configurator system configured to receive a selection of multiple configurations for a size of an equipment of the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. describe a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also describe an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Farrell et al. describe key parameters that are involved in a selection of a subset of the industrial products from an inventory set of industrial products. Accordingly, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a system configured to receive a selection of multiple configurations for a size of an equipment. Accordingly, Applicants respectfully submit that Claim 15 is patentable over Henson in view of Smith et al. and further in view of Farrell et al.

When the recitations of Claim 19 are considered in combination with the recitations of Claim 15, Applicants submit that dependent Claim 19 is also patentable over Henson in view of Smith et al. and further in view of Farrell et al.

Claim 39 recites a computer program embodied on a computer readable medium connected to a server coupled to a centralized database and at least one client system via a network, the computer program for configuring a parallel switchgear system, comprising "a code segment that receives user registration information from a user; a code segment that displays a graphic user interface for the user to select a parallel switchgear system

configuration; a code segment that receives selections from the user; a code segment that stores the selections into a centralized database; a code segment that cross-references the selections against a unique identifier; a code segment that provides a drawing and a quotation if the unique identifier matches the selections; and a code segment that generates an equipment elevation drawing and an electrical schematic drawing based on information regarding the parallel switchgear system."

None of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a system as recited in Claim 39. More specifically, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a code segment that generates an equipment elevation drawing and an electrical schematic drawing based on information regarding the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. describe a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also describe an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Farrell et al. describe key parameters that are involved in a selection of a subset of the industrial products from an inventory set of industrial products. Accordingly, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a code segment that generates an equipment elevation drawing and an electrical schematic drawing based on information regarding the parallel switchgear system. Accordingly, Applicants respectfully submit that Claim 39 is patentable over Henson in view of Smith et al. and further in view of Farrell et al.

Claims 40-47 depend, directly or indirectly, from independent Claim 39. When the recitations of Claims 40-47 are considered in combination with the recitations of Claim 39, Applicants submit that dependent Claims 40-47 are also patentable over Henson in view of Smith et al. and further in view of Farrell et al.

For at least the reasons set forth above, Applicants respectfully submit that the Section 103 rejection of Claims 1-10, 14, 19, and 39-47 be withdrawn.

The rejection of Claims 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Henson in view of Smith et al. and further in view of Farrell et al. is respectfully traversed.

Henson, Smith et al., and Farrell et al. are described above.

Claims 11-13 depend indirectly from independent Claim 1 which recites a method for automatically customizing and specifying a parallel switchgear system using a computer network-based system including a server coupled to a centralized database and at least one client system, the method comprising the steps of "accessing a product configurator system; selecting switchgear product configurations related to a parallel switchgear system from a plurality of user interfaces; receiving a bill of material and a price quotation for the parallel switchgear system.; and automatically generating, via the product configurator system, an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system."

None of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest a method as recited in Claim 1. More specifically, none of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest automatically generating, via the product configurator system, an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. describe a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also describe an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Farrell et al. describe key parameters that are involved in a selection of a subset of the industrial products from an inventory set of industrial products. Accordingly, none of

Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest automatically generating an equipment elevation drawing and an electrical schematic based on information regarding the parallel switchgear system. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Henson in view of Smith et al. and further in view of Farrell et al.

When the recitations of Claims 11-13 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 11-13 are also patentable over Henson in view of Smith et al. and further in view of Farrell et al.

For at least the reasons set forth above, Applicants respectfully submit that the Section 103 rejection of Claims 11-13 be withdrawn.

The rejection of Claims 32-38 under 35 U.S.C. § 103(a) as being unpatentable over Henson in view of Farrell et al. is respectfully traversed.

Henson and Farrell et al. are described above.

Claim 32 recites a computer-readable medium, comprising "a record of parallel switchgear system configurations of a parallel switchgear system; a plurality of rules for matching the record against customer submitted selections for a particular configuration of the parallel switchgear system, wherein the rules are applied by a server; and a record of results provided to a user via a graphical user interface from applying the matching rules to the customer submitted selections; and a selection of multiple configurations for a size of an equipment of the parallel switchgear system."

Neither Henson nor Farrell et al., considered alone or in combination, describe or suggest a computer-readable medium as recited in Claim 32. More specifically, neither Henson nor Farrell et al., considered alone or in combination, describe or suggest a computer-readable medium including a selection of multiple configurations for a size of an equipment of the parallel switchgear system. Rather, Henson describes a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Farrell et al. describe key parameters that are involved in a selection of a subset of

the industrial products from an inventory set of industrial products. Accordingly, neither Henson nor Farrell et al., considered alone or in combination, describe or suggest a system configured to receive a selection of multiple configurations for a size of an equipment. Accordingly, Applicants respectfully submit that Claim 32 is patentable over Henson in view of Farrell et al.

Claims 33-38 depend, directly or indirectly, from independent Claim 32. When the recitations of Claims 33-38 are considered in combination with the recitations of Claim 32, Applicants submit that dependent Claims 33-38 are also patentable over Henson in view of Farrell et al.

For at least the reasons set forth above, Applicants respectfully submit that the Section 103 rejection of Claims 32-38 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejections of Claims 1-29 and 32-47 are proper rejections. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. None of Henson, Smith et al., or Farrell et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Henson with Smith et al. or Farrell et al. because there is no motivation to combine the references suggested in the cited art itself.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.
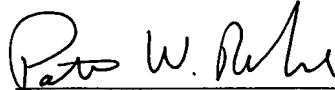
Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose

among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Henson teaches a configurator for configuring a computer system with options selected according to a prescribed user input, a checkout for presenting payment options, a database for dynamically supplying configuration options, a configurator that includes merchandising recommendations for available options and their respective option details, and a cart that includes merchandising recommendations for add-on options. Smith et al. teach a graphical user interface for configuring and ordering office furniture, selecting a basic configuration of furniture, and modifying the configuration by adding, deleting or moving components in the configuration or by changing the size or shape of a component of the configuration. Smith et al. also teach an order generation system that displays a three-dimensional view of the selected typical configuration that can be rotated, moved and modified. Farrell et al. teach key parameters that are involved in a selection of a subset of the industrial products from an inventory set of industrial products. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claims 1-29 and 32-47 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejections of 1-29 and 32-47 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

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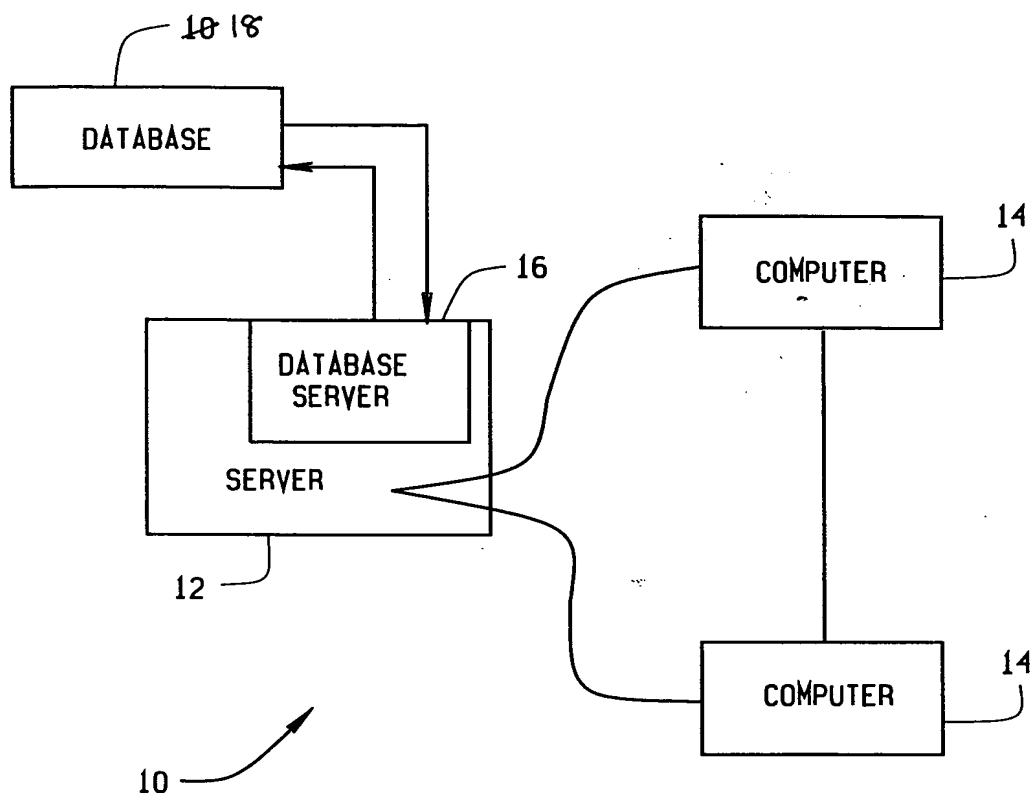St. Louis, Missouri 63102-2740
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FIG. 1